

REMARKS

The Office Action dated November 6, 2006 has been received and carefully considered. Reconsideration of the outstanding rejection in the present application is respectfully requested based on the following remarks.

Obviousness Rejection of Claims 13, 20 and 30

At page 2 of the Office Action, claims 13, 20 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi (U.S. Patent No. 6,992,987) in view of Beasley et al. (U.S. Patent No. 5,937,176). This rejection is hereby respectfully traversed.

Claim 13 recites transmitting data to a first peripheral system over a first plurality of PCI Express port connectors and receiving data from the first peripheral system over a second plurality of PCI Express port connectors, wherein the second plurality is less than the first plurality. The cited references do not disclose or suggest these features. As indicated by the Office Action at page 2, Kobayashi fails to disclose a second plurality of PCI Express port connectors that is less than a first plurality. Further, Beasley does not remedy the deficiencies of Kobayashi. Beasley discloses a plurality of **input lines** and a plurality of **output lines**, with fewer output lines than input lines. *Beasley*, col. 8, lines 7-8. Beasley does not disclose any PCI Express port connectors, and so necessarily does not disclose a **first plurality of PCI Express port connectors** nor a **second plurality of PCI Express port connectors, the second plurality of PCI Express port connectors less than the first**. Accordingly, neither Beasley nor Kobayashi disclose each and every element of claim 13.

Further, there is no motivation to combine Kobayashi and Beasley. “Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.” MPEP § 2143.01. According to the Office Action at pages 2-3, the motivation to combine the cited references is “because both the prior art systems are analogous to improving data communication and one of ordinary skill in the data processing art at the time the invention was made would have selected the above feature because this is one of

the possibilities already known in the data processing art.” Applicant respectfully disagrees, and points out *Beasley*, a reference that is concerned with a switching system for coupling a workstation to a remotely located computer, and *Kobayashi*, a reference that is concerned with a display interface between a PC motherboard and a display device, are directed to non-analogous art. For example, *Beasley* states “[t]he present invention provides a computerized switching system **that allows centrally located network administrators to operate multiple server computers over long distances** without requiring a complicated wiring scheme. In general, the switching system allows data transmission between a workstation **and a remotely located server.**” *Beasley*, col. 1, lines 49-54 (emphasis added). In contrast, *Kobayashi* is directed to “a **point-to-point, packet-based, plug & play, serial digital display interface.**” *Kobayashi*, col. 4, lines 31-32. Thus, the cited references do not address similar problems, do not solve the purported problems in a similar way, and are concerned with very different types of communication, and one skilled in the art would not be motivated to combine them.

In addition, if a “proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” *Id.* (citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)). In this case, combining the 16 by 16 switches 182 and 184 of FIGS. 8 and 9 *Beasley* with *Kobayashi*, as suggested by the Office Action at page 2 would render *Beasley* unsatisfactory for their intended purpose. According to *Beasley*,

To connect a workstation to a remote computer, a user sends a command that causes the central crosspoint switch to couple the keyboard/mouse signals to one of the remote computers. As indicated above, commands that affect the operation of the crosspoint switch as inserted between “printscreen” and “enter” keystrokes. The pod connected to the workstation detects these keys and transmits a packet to the CPU on one of the output cards. The CPU then transmits the packet to the master CPU that validates the request and **issues a command to the switch cards to set the position of the 16x16 digital and analog switches 182 and 184 (FIG. 6).** Once the position of the switches has been set, the master CPU tells the computer pod 76 that the connection has occurred. The keyboard/mouse signals are then packetized and transmitted as pod to pod packets through the crosspoint switch. Video and audio signals from the remote computer are transmitted from the remote computer to the workstation.

Beasley, col. 10, lines 47-65 (emphasis added). There is no disclosure in *Kobayashi* of a feature that can issue the commands to set the position of the 16x16 digital and analog switches

182 and 184 of Beasley. Thus, the combination of Beasley and Kobayashi would render Beasley unsuitable for its intended purpose of allowing centrally located network administrators to operate multiple server computers over long distances. Accordingly, there is no motivation to combine the cited references, and their combination cannot be used as a basis for an obviousness rejection.

With respect to claim 20, the claim recites a PCI Express port comprising a first plurality of data receive connectors to receive a first data when in a first mode of operation, and a second plurality of data transmit connectors dedicated to transmit a second data when in the first mode of operation, wherein the first plurality is greater than the second plurality. As indicated in the explanation above, neither of the cited references discloses or suggests these elements, and there is no motivation to combine the references.

With respect to claim 30, the claim recites receiving data to a first peripheral system over a first plurality of PCI Express port connectors and transmitting data from the first peripheral system over a second plurality of PCI Express port connectors, wherein the second plurality is less than the first plurality. As explained above, the cited references, individually and in combination, fail to disclose or suggest a second plurality of PCI Express port connectors less than a first plurality. Therefore, the cited references necessarily fail to disclose or suggest the elements of claim 30.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 13, 20, and 30 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

Obviousness Rejection of Claims 21-29

At page 3 of the Office Action, claims 21-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Beasley et al. as applied to claim 20 above, and further in view of common knowledge in the data processing art. This rejection is hereby respectfully traversed.

Claims 21-29 depend from claim 20. Accordingly, the cited references fail to disclose or suggest each and every element of claims 21-29, at least by virtue of their dependence on claim

20. In addition, claims 21-29 recite additional novel elements. Applicant disagrees that the elements of claims 21-29 are well known in the art, and asks the Office to provide a reference disclosing or suggesting the elements of these claims.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 13, 20, and 30 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

Conclusion

The Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

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